

Appointment

From: Fertik, Rachel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1A6C790CF3C54A61A6DBB8668509D74C-RFERTIK]
Sent: 5/8/2013 6:03:45 PM
To: Fertik, Rachel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1a6c790cf3c54a61a6dbb8668509d74c-RFertik]; Evans, David [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C2cba36ba8ff4010bb7da1280a79cc52-DEvans03]; Frithsen, Jeff [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E3743bd6f3c345baaae407c1d6f78e92-FRITHSEN, JEFF]; Thomas, Jenny [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A8f55028de3644f4ae35dd3ac1479345-Thomas, Jenny]; Scott, Jessica [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=52dd0682c7b44d498dabf80fba72deed-Scott, Jessica]; Nalven, Heidi [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0b698043b7ee461198a73177935098d4-HNalven]; Srinivasan, Gautam [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D69332838210416ba51779b19025f832-GSRINIVA]
CC: Kaiser, Russell [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=222da99956d24ca197dc6f8bf4ae1ff5-Kaiser, Russell]; Schofield, Kate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Dcee1111073746c5928c59110b80f643-Schofield, Kate]; Hough, Palmer [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=51cd0b0d81ac416fa265944d6e6575ce-PHough]
Subject: United Tribes of Bristol Bay meeting with Wetlands and NCEA
Location: DCRoomWest7301/DC-CCW-OWOW
Start: 5/9/2013 4:00:00 PM
End: 5/9/2013 5:00:00 PM
Show Time As: Tentative
Required Attendees: Evans, David; Frithsen, Jeff; Thomas, Jenny; Scott, Jessica; Nalven, Heidi; Srinivasan, Gautam

Update – Attached is the anticipated Attendees from UTBB, NARF, and the member Tribes.

Call in number code

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DC Participant  
List\_final.xlsx

**From:** Hough, Palmer  
**Sent:** Monday, April 15, 2013 1:44 PM  
**To:** Keehner, Denise  
**Cc:** Evans, David; Pendergast, Jim; Kaiser, Russell; Frithsen, Jeff; Fertik, Rachel; Thomas, Jenny; Nalven, Heidi; Srinivasan, Gautam; Wright, Felicia  
**Subject:** 4-12-13 Letter from United Tribes of Bristol Bay to Bob P

**Attachments:** NARFletter4Gov-to-Gov Meetings - EPA-Signed.pdf

Denise:

Attached is the letter I mentioned this morning to Bob P from the newly created United Tribes of Bristol Bay (UTBB). Seven Bristol Bay tribes have united to create UTBB so that they can share their perspectives in a more efficient and consolidated manner. UTBB is represented by Heather Kendall Miller, a well respected and accomplished attorney and Alaska Native. She has a great deal of experience regarding tribal legal issues and I believe that she recently argued a tribal case before the Supreme Court.

Under the auspices of Government-to-Government consultation, her letter to Bob P requests a meeting between May 6-10 to discuss:

- 1) UTBB's initial comments on the revised draft BBA (presuming its out for public comment by then of course)
- 2) Present a formal resolution requesting that EPA utilize 404(c)

Please let me know if you have any questions. I'm cc'ing OGC so they are aware of this request and this new tribal organization.

Thanks, Palmer

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Palmer Hough, Environmental Scientist  
office: 202.566.1374 | mobile: 202.657.3114

Wetlands Division  
U.S. EPA Headquarters (MC 4502T)  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
[www.epa.gov/wetlands](http://www.epa.gov/wetlands)

**From:** Fordham, Tami  
**Sent:** Friday, April 12, 2013 3:18 PM  
**To:** Parkin, Richard; Hough, Palmer  
**Cc:** Eckman, Sheila; Soderlund, Dianne  
**Subject:** FW: PDF Letters

**From:** Rob Rosenfeld [mailto:Ex. 6 PII, Rob Rosenfeld]

**Sent:** Friday, April 12, 2013 11:16 AM

**To:** McInnis, Marissa; McInnis, Marissa; Evans, David; Corman, Bicky; Stoner, Nancy; Woods, Jim; McLerran, Dennis; Fordham, Tami; Keehner, Denise; Thomas, Jenny; DePass, Michelle

**Subject:** Fwd: PDF Letters

Hello Marissa:

Attached please find the formal request to meet with the United Tribes of Bristol Bay.

Thank you for your assistance.

Rob

April 12, 2013

Bob Perciasepe, Acting Administrator

Environmental Protection Agency

Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Re: Government-to-Government Consultation Request

Dear Mr. Perciasepe:

I am writing to request a government-to-government consultation between the Environmental Protection Agency (EPA) and the United Tribes of Bristol Bay (UTBB) regarding the proposed Pebble mine in Alaska's Bristol Bay region. Please consider a meeting between May 6 – 10, 2013.

UTBB is a consortium organized by seven federally recognized Tribes to advocate for and on behalf of its member Tribes on issues related to large-scale mining in the Bristol Bay region. The seven member Tribes are: Nondalton, Levelock, Curyung, Ekuk, Ekwok, Manokotak, and Togiak. These Tribes have passed Resolutions delegating governmental authority to UTBB to act as a political subdivision of its member Tribes. As such, UTBB has all powers and immunities that its member Tribes otherwise possess by virtue of their status as federally recognized Tribes. (Indian Entities Recognized and Eligible to Receive Services from the Bureau of Indian Affairs, 77 Fed. Reg. 47,868 (Aug. 10, 2012)). The Native American Rights Fund (NARF) has been retained by UTBB to act as counsel and to represent its interests in legal matters.

During the Government-to-Government consultation, UTBB would like to:

1) Present UTBB's comments in response to the draft Bristol Bay Watershed Assessment released on April 15, 2013, by EPA.

2) Present a formal resolution requesting EPA to utilize Section 404(c) of the Clean Water Act in making an advanced permitting determination on the proposed Pebble mine.

UTBB looks forward to engaging in meaningful consultation with you and meeting on a government-to-government basis. If you have any questions relating to scheduling please contact: Rob Rosenfeld, Consultant, at (907) 388-2683, **Ex. 6 PII, Rob Rosenfeld** – or Matt Newman, NARF Staff Attorney, at (907) 388-4926, [mnewman@narf.org](mailto:mnewman@narf.org).

Yours sincerely,

Heather Kendall Miller

